

**PUBLIC HEARING of the Town Council held Wednesday, March 23, 2011 at 6:30 P.M. in Council Chambers, Town Building, 105 Harrisville Main St., Harrisville, for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson**

**MEMBERS ABSENT: Councilor Wallace F. Lees was excused**

**Council President Nancy F. Binns called the public hearing to order at 6:30 P.M.**

**Proposed Capital Improvement Project Budget**

**Municipal – Departmental \$261,300**

**Infrastructure 2,511,000**

**School Department 153,171**

**Major Capital Reserve Fund 42,529**

**Miscellaneous - Town Clerk, Spring Lake Beach 37,500**

**TOTAL Capital Improvements Program Requests \$3,005,500**

**Proposed Capital Improvement Funding**

**Ocean State Power – PILOT \$716,865**

**TransCanada – new agreement 1,871,135**

**Grants 168,000**

**Other Sources – In-Kind Match 188,000**

**Recreation Capital 24,000**

**Restricted Funds (Town Clerk, Spring Lake Beach) 37,500**

**Property Taxes (Net Amount Required to Fund All Projects) 0**

**TOTAL Funding Sources \$3,005,500**

**NOTE: The above was duly advertised in the Local Section of the Woonsocket Call on Monday, March 21, 2011.**

**1. Recommendations from the Budget Board:**

- a) Capital Improvement Program for Fiscal Year Ending June 30, 2012**
- b) Capital Improvement Program – Five (5) Year Plan**

**Arthur R. Hurley, Chair, Burrillville Budget Board, reviewed the Budget Board's recommended Capital Improvement Budget. Mr. Hurley noted that the Board recommended that several items be delayed due to the uncertainty related to PILOT funding. Mr. Hurley commented on the Board's inclusion of vehicles for the police department.**

**2. Recommendations from Michael C. Wood, Town Manager:**

- a) Capital Improvement Program for Fiscal Year Ending June 30, 2012**
- b) Capital Improvement Program – Five (5) Year Plan**

**Michael C. Wood, Town Manager, acknowledged a job well done by the Budget Board. Mr. Wood commented on the Ocean State Power payment in lieu of taxes (PILOT) money, noting that the agreement is coming to an end soon. Mr. Wood suggested that if TransCanada/Ocean State Power does not enter into a new PILOT agreement but pays taxes instead, those taxes might be used for the CIP program. However the recommendation would again exclude homeowners' real estate taxes from this program. Mr. Wood summarized his recommendation for the 2012 CIP program, as detailed in his March 16, 2011 memo, a copy of which is on file with the record of the meeting.**

### **3. Opponents**

**Thomas Calouro of Railroad Avenue commented on the railroad right-of-way trail between Harrisville and Pascoag. Mr. Calouro outlined his long term opposition to the project including hearings before the Recreation Commission and Planning Board. He asked that the railroad right-of-way trail not be funded.**

**Albert Carlow, Jr. of Railroad Avenue spoke in opposition to the railroad right-of-way trail due to budget issues. Mr. Carlow commented on the abutters' objections, suggested that abutters' input had not been sought, and raised concerns about crime potential. Mr. Carlow suggested funding recreational athletics as an alternative.**

**Susan Kent of Benedict Road spoke in opposition to the railroad right-of-way trail during hard economic times. Ms. Kent suggested that funds should be used for necessities rather than luxury items now and that this project be revisited when funds are available.**

**George Ptaszek, Eastern Avenue, spoke in opposition to the railroad right-of-way trail which would end near his property. Mr. Ptaszek suggested increasing funding for police cars, the animal control shelter and schools as alternatives.**

#### **4. Proponents**

**James Langlois of Hill Road indicated that he was generally in support of the CIP budget and encouraged adoption.**

#### **5. VOTED to close the public hearing.**

**Motion by Councilor Kevin D. Heitke. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

#### **6. Town Council Members Comments/Input/Deliberation**

**Councilor David J. Place suggested that rather than continuing the plan for the railroad right-of-way trail between Harrisville and Pascoag or funding the Stillwater Pavilion, some items scheduled for future CIP budgets should be moved to the FY2012 budget.**

**At the regular meeting of the Burrillville Town Council held Wednesday, April 13, 2011, the Town Council voted unanimously to amend the minutes by adding: Councilor David J. Place stated that he was not opposed to continuing the plan for the railroad project, but that he recommended that the funding be delayed to a further year.**

**Councilor Kevin D. Heitke commented that the railroad right-of-way trail is a not new project, discussed the grant funding involved and spoke of the benefits the project provides the community.**

**At the regular meeting of the Burrillville Town Council held Wednesday, April 13, 2011, the Town Council voted unanimously to amend the minutes: Councilor David J. Place requested that Mr. Heitke receive credit for bringing up the point about the grant money.**

**Councilor Stephen N. Rawson listed his concerns related to funding, maintenance, and safety. Councilor Rawson indicated that roadways are a suitable connection between the villages**

**Councilor Margaret L. Dudley commented on the grant funding already secured for the trail project and voiced concern that**

**repayment might be required if the project was not completed.**

**There was discussion of the railroad right-of-way trail project, including: the inclination of the abutters, the cost of the project, grant money involved, the public process followed, effect of discontinuing, occurrence of crime on other bikeways, compliance to the comprehensive plan, and maintaining and policing the project.**

**Timothy F. Kane, Town Solicitor, suggested that the Town Council might require additional information about ramifications before it made a decision to suspend a project. Mr. Kane suggested that the Town Council consider reopening the public hearing and continuing the session to a date certain.**

**VOTED to recess.**

**Motion by Councilor David J. Place. Seconded by Councilor Edward J. Blanchard. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**The recess concluded at 7:23 P.M.**

**VOTED to reopen the public hearing.**

**Motion by Councilor Edward J. Blanchard. Seconded by Councilor Margaret L. Dudley. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

**VOTED to table to March 30th**

**Motion by Councilor Kevin D. Heitke. Seconded by Councilor David J. Place. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Edward J. Blanchard, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Wallace F. Lees was excused.**

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**Continuation of a Public Hearing of the Town Council held Wednesday, March 30, 2011 at 6:30 P.M. in the Media Center, Burrillville High School, 425 East Avenue, Harrisville, for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson**

**MEMBERS ABSENT: Councilor Edward J. Blanchard was excused**

**NOTE: A summary of the proposed Capital Improvement Program was duly re-advertised in the Local Section of the Woonsocket Call on Monday, March 28, 2011.**

**The Public Hearing which was begun on March 23, 2011, continued on March 30, 2011, as follows:**

**Proponents (Continued)**

**Speaking in support of the CIP budget were Robin Volpini of Jefferson Road, President of the Blackstone Valley Tourism Council Robert Billington, Mark Brizard of Victory Highway and Rose Doughty of East Avenue. Those who spoke in support of funding the railroad right-of-way trail from Harrisville to Pascoag commented on the benefit to the town, the affordability of the project due to grant funding and the potential to decrease illegal activity such as underage drinking and vandalism because of the increase in activity. It was noted that the CIP program has no impact on taxes. Mr. Brizard spoke of the importance of neighborhood programs such as the bike path and Stillwater pavilion, as well as improvements to roads and bridges provided by the CIP budget.**

**Opponents (Continued)**



**Speaking in opposition to the CIP budget were Mike Puyana of North Hillside Drive, Eric Tupper of Emerson Road, Nancy Hopkins Schmeltz of East Wallum Lake Road, Albert Carlow Jr. of Railroad Avenue, Susan Kent of Benedict Road, Carl Toti of Main Street and Helen Bond of Mowry Street. Those who spoke in opposition to the railroad right-of-way trail project raised concerns related to cost, safety, maintenance, litter and parking. Opponents commented that the proposed bikeway was too short, would not connect to regional bikeways, and would not benefit every resident. Some opponents recommended alternate uses for the funding proposed for the railroad right-of-way trail.**

**VOTED to close the public hearing.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard was excused.**

### **Town Council Members Comments/Input/Deliberation (Continued)**

**Councilor Kevin D. Heitke acknowledged the input from residents, commented on the trail project's compliance with the comprehensive**

plan, and reviewed the years of planning and the public process involved in the project. Councilor Heitke commented on the responsibility of the Town Council to make decisions that support sustained growth for the Town.

Councilor David J. Place discussed the cost of the trail project, reviewed the mission of the Department of Public Works, and proposed focusing on maintaining current assets.

At the regular meeting of the Burrillville Town Council held Wednesday, April 13, 2011, the Town Council voted unanimously to amend the minutes by adding: Councilor David J. Place expressed an opinion that the idea that there was no money coming out of the property tax base and going to the bike path and farmers market was inaccurate; and that the in-kind contribution of \$130,000 was taxpayer dollars in the form of salaries, equipment, expenses, material and time.

Councilor Stephen N. Rawson outlined his service to the Town and his experience with recreational programs. Councilor Rawson discussed the Comprehensive Plan and its revisions through the years. Councilor Rawson supported a passive recreation trail (hiking, camping, etc.) rather than a bikeway. Councilor Rawson proposed an alternative, limited-scope project for the railroad right-of-way trail.

Councilor Wallace F. Lees commented on the difficulties of making

decisions on projects when there is strong public feeling. Councilor Lees spoke of the need to put personal feelings aside and support issues and projects that provide an overall benefit to the community.

**7. Consider and act on a MOTION to adopt a resolution adopting the Capital Improvement Program for fiscal year ending June 30, 2012**

**MOTION: That the Capital Improvement Program for fiscal year ending June 30, 2012 be adopted as recommended by the Town Manager. The total appropriation is \$3,005,500.**

**Included in the total amount to be adopted is an amount of \$42,529, which is to be appropriated to the Reserve for Major Capital Projects Fund.**

**If this motion passes, the Capital Budget as presented shall be included in its entirety in the annual budget for Fiscal Year Beginning July 1, 2011. The Town may encumber funds against these accounts prior to July 1st. This will allow the Town to enter into contracts prior to the effective date of July 1, 2011.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Kevin D. Heitke.**

**Discussion: Councilor Stephen N. Rawson raised questions related to Proposed Capital Improvement Funding. Councilor Rawson questioned the \$37,500 listed in the proposal as Restricted Funds**

**(Town Clerk, Spring Lake Beach), suggesting that Spring Lake Beach funds were being proposed for use in the Town Clerk's office. Councilor Rawson questioned the \$24,000 funding from the Recreation Capital Account. Councilor Rawson suggested that the railroad right-of-way trail had not been initiated by the Recreation Commission, as he deemed it should. Councilor Rawson urged that those funding sources be eliminated from the budget until his concerns had been addressed. Michael C. Wood, Town Manager, explained the three restricted funds proposed, i.e. the Spring Lake Beach fund for the Spring Lake Beach entry system, the Town Clerk's Historic Records Fund for records preservation and the Town Clerk's Technology Fund for technology items, as described in his March 16, 2011 memo and detailed in the proposed budget. (Copies are on file with the record of the meeting.)**

**The motion carried, four in favor, two opposed, one excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilor Wallace F. Lees, Margaret L. Dudley and Kevin D. Heitke. Councilors David J. Place and Stephen N. Rawson voted in opposition. Councilor Edward J. Blanchard was excused.**

**Discussion: Councilor David J. Place asked for the opinion of the solicitor whether a super majority vote was required to carry a motion involving a question of appropriating restricted revenues. Timothy F. Kane, Town Solicitor, said that there was not.**

**8. VOTED to adjourn at 8:39 P.M.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Wallace F. Lees. The vote was unanimous by the six members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Margaret L. Dudley, Kevin D. Heitke, David J. Place and Stephen N. Rawson. Councilor Edward J. Blanchard was excused.**

**The hearing was recorded.**

**Louise R. Phaneuf, Town Clerk**